

### **PROVISIONAL ELECTION**

Applicant provisionally elects Group I, directed to claims 1-12 and 14.

### **TRAVERSAL**

Applicant respectfully traverses this restriction/election requirement because each of the "Groups" of claims that the Examiner alleges are "unrelated" share a special technical feature under PCT Rule 13.2. Accordingly, all of the presently pending claims possess unity of invention and restriction, therefore, is improper.

#### **Unity of Invention between Groups I and II**

Applicant respectfully submits that the claims of Group I and the claims of Group II possess "unity of invention" because they share a special technical feature as required by PCT Rule 13.2.

PCT Rule 13.2 states the following, in relevant part:

"[T]he requirement of unity of invention referred to in Rule 13.1 shall be fulfilled only when there is a technical relationship among those inventions involving one or more of the same or corresponding special technical features. The expression 'special technical features' shall mean those technical features that define a contribution which each of the claimed inventions, considered as a whole, makes over the prior art."

In the present application, the special technical feature that is shared between Groups I and II is the "compounds of Formula I", which does make a contribution over the prior art.

**CONCLUSION**

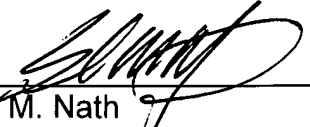
Based upon the above remarks, the presently claimed subject matter is believed to be novel and patentably distinguishable over the prior art of record. The Examiner is therefore respectfully requested to reconsider and withdraw the restriction / election requirement of the pending claims. Favorable action with an early allowance of the claims pending in this application is earnestly solicited.

The Examiner is welcomed to telephone the undersigned attorney if she has any questions or comments.

Respectfully submitted,  
**THE NATH LAW GROUP**

Date: July 1, 2009  
**THE NATH LAW GROUP**  
112 S. West Street  
Alexandria, VA 22314

Telephone: (703) 548-6284  
Facsimile: (703) 683-8396  
GMN/SMM/RRR.doc

  
\_\_\_\_\_  
Gary M. Nath  
Reg. No. 26,965  
Joshua B. Goldberg  
Reg. No. 44,126  
Sheldon M. McGee  
Reg. No. 50,454  
Customer No. 34375